



STATE OF CONNECTICUT • COUNTY OF TOLLAND
INCORPORATED 1786

TOWN OF ELLINGTON

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MICHAEL P. SCUDIERI
Deputy First Selectman

PETER J. CHARTER
DENNIS W. FRAWLEY
ANN L. HARFORD
A. LEO MILLER, JR.
JAMES M. PRICHARD

MICHAEL P. STUPINSKI
First Selectman

BOARD OF SELECTMEN
August 21, 2006
Town Hall - Meeting Hall

MINUTES

SELECTMEN PRESENT: Peter Charter, Dennis Frawley, Ann Harford, A. Leo Miller and Michael Stupinski

SELECTMEN ABSENT: James Prichard

OTHERS PRESENT: Finance Officer: N. DiCorleto; DPW Director: P. Michaud; Town Clerk: D. McKeegan; Conservation Com.: S. Costello, Chair and J. Gage; BOE: Superintendent Cullinan and A. Littizzio; BOF: R. Pagani, Chair and M. Joyse; Charter Revision Chair: J. Wehr; Emergency Management: D. Davis, Director and J. Streiber; Resident: M. Scudieri; Hartford Courant Reporter: R. Rathi; Reminder Press Reporter

I. CALL TO ORDER:

First Selectman Stupinski called the meeting of the Board of Selectmen (BOS) to order at 7:30 p.m.

II. IN MEMORIAM: Nancy O. Way, Deputy First Selectman:

MOVED (CHARTER), SECONDED (MILLER) AND PASSED UNANIMOUSLY, BY THOSE PRESENT AND VOTING, TO ADOPT THE FOLLOWING RESOLUTION:

RESOLVED, that the Board of Selectmen expresses its sorrow at the death of Nancy O. Way, Deputy First Selectman.

Nancy O. Way died on Thursday, July 27, 2006 at the age of 65. She was a valuable member of the Board of Selectmen for over 10 years. She will long be remembered for her devotion to and contributions made to the Town of Ellington. Her passing is of great loss to family, friends and the citizens of Town of Ellington.

FURTHER RESOLVED, that the Board of Selectmen conveys its respect and deepest sympathy to husband, Keith and family.

Mr. Stupinski added the following statement;

Nancy Way is no longer with us, but she left us a wonderful lesson in public service. In her entire period of service on the BOS, her actions as a selectman were never about Nancy. They were, rather, consistently about the town she loved and how to make it a better place. In working to make it a better place she addressed its character, its appearance, its history and its charm. But I

think her main concerns were always the community and its people. School food service workers, residents of Snipsic Village, farmers, housewives, school kids... just examples of a long list. Nancy worked for what was best for them, knowing that ultimately it was best for the Town of Ellington. I miss her terribly, as I know you do also. I ask that we remember her by taking her example and following her lead in our service to the town.

III. CITIZENS' FORUM: No one came forward.

IV. APPROVAL OF MINUTES:

- A. July 17, 2006 Board of Selectmen Meeting:
Amend Motion re: Item V-H, Lease Agreement BOE Equipment:

MOVED (CHARTER), SECONDED (FRAWLEY) AND PASSED UNANIMOUSLY, BY THOSE PRESENT AND VOTING, TO AMEND THE MOTION MADE BY THE BOARD OF SELECTMEN AT THE JULY 17, 2006 MEETING, ITEM H., REGARDING THE LEASE AGREEMENT FOR THE PURCHASE OF COMPUTER EQUIPMENT AS FOLLOWS: DELETE THE WORDS, AND FURTHER TO ADD THIS ITEM TO THE SPECIAL TOWN MEETING SCHEDULED FOR MONDAY, AUGUST 21, 2006 AT 7:15 P.M. AT THE ELLINGTON TOWN HALL.

MOVED (CHARTER), SECONDED (HARFORD) AND PASSED (FRAWLEY, HARFORD, MILLER AND STUPINSKI VOTED – AYE) TO APPROVE THE JULY 17, 2006 MEETING OF THE BOARD OF SELECTMEN, AS AMENDED. (CHARTER – ABSTAINED).

The BOS went out of agenda order to Item VI – L and M:

- L. Appointment – Board of Selectmen:

MOVED (CHARTER), SECONDED (HARFORD) AND PASSED UNANIMOUSLY, BY THOSE PRESENT AND VOTING, TO APPOINT MICHAEL P. SCUDIERI TO THE BOARD OF SELECTMEN TO FILL AN UNEXPIRED REPUBLICAN TERM TO DECEMBER 3, 2007.

FURTHER, MICHAEL P. SCUDIERI SHALL ALSO SERVE ON THE BOARD OF SELECTMEN'S CAPITAL IMPROVEMENTS, PERSONNEL, PERSONNEL POLICIES AND TOWN ORDINANCE COMMITTEES AND THE EDC TAX ABATEMENT COMMITTEE.

Mr. Scudieri was sworn in by the Town Clerk and took his seat with the BOS. The BOS welcomed Mr. Scudieri as a member of the BOS.

- M. Appointment – Deputy First Selectman:

MOVED (CHARTER), SECONDED (HARFORD) AND PASSED UNANIMOUSLY, BY THOSE PRESENT AND VOTING, TO APPOINT MICHAEL P. SCUDIERI AS THE DEPUTY FIRST SELECTMAN.

The BOS went back to agenda order.

V. UNFINISHED BUSINESS:

- A. Conservation Commission – Referendum for Open Space Funding:

MOVED (SCUDIERI), SECONDED (CHARTER) TO ADOPT THE FOLLOWING RESOLUTION:

RESOLVED, that the Board of Selectmen recommends that the Town of Ellington appropriate \$2,000,000 for costs related to the acquisition by the Town of one or more parcels of land, or of development rights, easements or other interests or rights related thereto, for open space, conservation, passive or active recreation, education or other related municipal uses, or any combination thereof, provided that no portion of the appropriation shall be expended for the

acquisition of a particular parcel of land or interest related thereto, other than for costs preliminary to such acquisition, until such acquisition has been submitted to the Planning and Zoning Commission of the Town for review pursuant to Section 8-24 of the Connecticut General Statutes, Revision of 1958, as amended, and such acquisition has been approved by the Town Meeting. The appropriation may be spent for acquisition costs, costs preliminary thereto including without limitation survey fees, testing, engineering, feasibility and planning studies related to potential acquisitions, legal fees, net temporary interest and other financing costs, and other expenses related to the project and its financing

FURTHER RESOLVED, that the Town issue bonds or notes and temporary notes in an amount not to exceed \$2,000,000 to finance the appropriation. The amount of bonds or notes authorized to be issued shall be reduced by the amount of grants received by the Town for the project to the extent that such grants are not separately appropriated to pay additional project costs.

FURTHER RESOLVED, that the Board of Selectmen hereby authorizes the First Selectman to call a special town meeting to be held in the Meeting Room of the Ellington Town Hall, 55 Main Street in Ellington, Connecticut, on Tuesday, October 24, 2006 at 7:00 p.m. to discuss a resolution with respect to the above recommendations concerning open space, conservation and passive recreation property acquisitions.

FURTHER RESOLVED, That the Board of Selectmen hereby designates said resolution for submission to the voters at referendum in the manner provided by Section 7-7 of the General Statutes of Connecticut, Revision of 1958, as amended, which vote shall be held on Tuesday, November 7, 2006, between the hours of 6:00 a.m. and 8:00 p.m., in conjunction with the election to be held on that date, in the manner provided by the Town Charter and the Connecticut General Statutes, Revision of 1958, as amended, including the procedures set out in Section 9-369d(b)(2) of said Statutes, which procedures are hereby adopted in accordance with the provisions of said Section. Notice of such referendum shall be incorporated into the notice of the Special Town Meeting and Town Clerk shall incorporate notice of such referendum into the notice of said election. The aforesaid resolution will be placed on the voting machines or paper ballots under the following heading:

"SHALL THE TOWN OF ELLINGTON APPROPRIATE \$2,000,000 FOR ACQUISITION FOR OPEN SPACE, CONSERVATION, PASSIVE OR ACTIVE RECREATION, EDUCATION OR OTHER RELATED MUNICIPAL USES OF PARCELS OF LAND, OR OF DEVELOPMENT RIGHTS, EASEMENTS OR OTHER INTERESTS OR RIGHTS RELATED THERETO, AND AUTHORIZE THE ISSUE OF BONDS AND NOTES IN THE SAME AMOUNT TO FINANCE THE APPROPRIATION?"

Voters approving the resolution will vote "Yes" and those opposing the resolution shall vote "No". Electors and persons qualified to vote in town meetings who are not electors will vote at the usual polling places in the Town. Absentee ballots will be available from the Town Clerk's office.

Mr. Stupinski stated that there was much discussion regarding this issue at last month's meeting and felt there was no need to open this for discussion. He also felt the wording in the motion was very clear.

Mr. Costello felt the action taken was a ruse to obtain funding for municipal and educational needs and was not a commitment to purchase open space. Mr. Stupinski warned Mr. Costello that he was out of order.

Mr. Frawley said the wording in the motion does not provide any commitment to open space. He felt a commitment should be made to open space. Every attempt to place money in the budget for this purpose, always gets voted down.

Mr. Scudieri stated that it was his understanding that the Board of Finance (BOF) has already approved a resolution for open space with the same wording. The BOS is taking the same resolution, already approved by the BOF, one step further by also setting a Town Meeting and sending it to the voters to decide.

Mr. Frawley did not agree with the resolution, as worded.

Mr. Stupinski said the BOS can either vote for this or against it. There is a timeline to consider. If the resolution does not pass tonight, there will be no time to bring it to the voters in November.

Mr. Miller agreed with Mr. Frawley. The resolution does not indicate any commitment to open space. As he stated last month, he preferred wording that designated a portion of money exclusively for open space. He did not agree with mixing funds for different uses. This resolution provides complete flexibility on the use of funds. Mr. Miller wanted it to be understood that in the future, when considering open space, that the funding for this purpose be placed in a separate account.

Mr. Miller asked Mr. Cullinan and Mr. Littizzio if they had received a proposal from Moser/Pilon indicating additional property is needed to implement renovations. Mr. Littizzio said that two scenarios were provided. One proposal would need more property to implement and the other does not.

Mr. Miller felt he was being rushed into a decision of accepting the full \$2,000,000, however, did not want to hold up the process as there may be an imminent need. He felt frustrated that other options were not explored.

Mr. Charter felt that it would not accomplish anything to defeat the motion.

Ms. Harford agreed with Mr. Miller. The resolution, as worded, does not commit anything to open space. Mr. Stupinski said that the resolution commits to open space and other uses. Ms. Harford stated that, historically, there is always some need for other uses other than open space.

Mr. Stupinski recommended that the BOS move forward with this so that the voters will have the opportunity to vote on this issue.

VOTE ON ABOVE MOTION: (AYE – CHARTER, SCUDIERI, STUPINSKI)
(NAY – FRAWLEY, HARFORD, MILLER)

MOTION FAILED.

B. EVAC: Draft Policy for Fee for Service Funds: Tabled to a future meeting.

VI. NEW BUSINESS:

A. Tax Refunds/Abatements:

MOVED (SCUDIERI), SECONDED (CHARTER) AND PASSED UNANIMOUSLY, BY THOSE PRESENT AND VOTING, TO APPROVE THE TAX REFUNDS IN THE AMOUNT OF \$831.45, AS RECOMMENDED BY THE TAX COLLECTOR IN THE REFUNDS/ABATEMENTS STATEMENT. (ATTACHED)

C. Trash Collection Fee:

MOVED (SCUDIERI), SECONDED (HARFORD) TO HOLD A PUBLIC HEARING ON MONDAY, SEPTEMBER 18, 2006 AT 7:30 P.M. AT THE ELLINGTON TOWN HALL TO HEAR COMMENTS FROM AND PROVIDE INFORMATION TO CITIZENS REGARDING INCREASING THE TRASH COLLECTION FEE.

Ms. Harford asked if it was necessary to increase the trash fee. Mr. DiCorleto stated that the actual cost needs to be addressed. There is no other alternative, except to increase the fee.

VOTE ON ABOVE MOTION: UNANIMOUSLY PASSED BY THOSE PRESENT AND VOTING.

D. Set Town Meeting - \$45,000 Appropriation DPW Dump Truck:

MOVED (SCUDIERI), SECONDED (CHARTER) AND PASSED (CHARTER, FRAWLEY, HARFORD AND SCUDIERI VOTED – AYE) TO AUTHORIZE THE FIRST SELECTMAN TO WARN A SPECIAL TOWN MEETING FOR MONDAY, SEPTEMBER 18, 2006 AT 7:15 P.M. AT THE ELLINGTON TOWN HALL TO CONSIDER AN APPROPRIATION OF \$45,000 FOR DPW DUMP TRUCK. (MILLER VOTED – NAY).

E. BOE:

1. Waive Normal Bidding Procedures – Windermere Painting Project:

MOVED (SCUDIERI), SECONDED (FRAWLEY) TO WAIVE THE NORMAL BIDDING PROCEDURES AND AUTHORIZE THE BOARD OF EDUCATION TO NEGOTIATE AN AGREEMENT WITH REPUTABLE CONTRACTOR FOR THE PAINTING OF THE WINDERMERE SCHOOL FASCIA.

Mr. Littizzio stated that he received two quotes within the budget from reputable vendors. There was a difference of \$250 in the quotes. Mr. Miller asked if the BOE would be going with the lower quote. Mr. Littizzio stated that the higher quote was from an Ellington vendor and the other was from out of town. Mr. Miller said he would support this if BOE went with the lower bidder.

Mr. Scudieri said that the difference is less than 1% and the selection of a vendor should be left to the discretion of the BOE.

Mr. Pagani suggested that BOE renegotiate the price with the Ellington vendor to see if he would consider lowering his price by \$250. Mr. Frawley agreed with this idea. Mr. Frawley also felt that the decision should be left with the BOE, being that the quotes are so close.

VOTE ON ABOVE MOTION: (AYE – CHARTER, FRAWLEY, HARFORD, SCUDIERI)
(NAY – MILLER)

MOTION PASSED.

2. Request to Purchase Additional Special Education Van:

MOVED (SCUDIERI), SECONDED (HARFORD) TO CHANGE THE 2006-07 CAPITAL NON-RECURRING FUND FROM BOE REPLACEMENT VANS SPEC ED (2) FOR \$50,000 TO BOE REPLACEMENT VANS SPEC ED (3) FOR \$50,000 AS REQUESTED BY THE BOARD OF EDUCATION WITH THE STIPULATION THAT TWO OF THE OLDER CURRENT VANS BE TAKEN OUT OF SERVICE, PENDING BOARD OF FINANCE AND TOWN MEETING APPROVAL. FURTHER, TO ADD THIS ITEM TO THE SPECIAL TOWN MEETING SCHEDULED FOR SEPTEMBER 18, 2006 AT 7:15 P.M.

Mr. Scudieri noted the motion differed from what the BOF approved. The BOF approved four vans at \$55,000.

Mr. Stupinski said he was advised by BOE that the cost for four vans would cost considerably more with all the needed optional equipment. It would cost approximately \$15,667 per van. BOF approved \$55,000 for four vans. The cost for four vans, including the needed optional equipment would cost approximately \$62,668. Three vans would still be within the budget.

Mr. Frawley asked about the older vans. He wanted to avoid the situation of spending money to maintain old vans, which as happened in the past.

Mr. Pagani stated that it was the understanding of the BOF that the BOE needed one additional van (total of three). The price indicated in the letter sent from Mr. Littizzio was \$13,358/van. The BOF felt that, at that price, it made more sense to approve four vans and take three of the older vans out of service. This would eliminate expensive repair costs to maintain the older vans. The BOF was not aware of the optional costs. There was no BOE representative at the BOF meeting to explain. Mr. Pagani added that any future requests of this nature will not be addressed by the BOF if a representative from the requesting department is not present.

Mr. Littizzio stated that one of the current vans failed state inspection and was taken out of service. A van is needed to replace that van. Also, there is a new "run" and a second van is need for that. There are different programs that come up on a day-to-day basis and vans are needed to transport. The plan was to put the older van aside for emergencies, as a spare.

Mr. Stupinski wanted to clarify that the BOE was asking for one replacement van, not two. Mr. Littizzio said two vans are needed. One to replace the one that is out of service and one for the new run.

Mr. DiCorleto felt it would be prudent to purchase four vans.

Mr. Stupinski suggested four vans at \$63,000.

Mr. Scudieri withdrew his motion, Ms. Harford withdrew her second to the motion.

MOVED (SCUDIERI), SECONDED (HARFORD) TO CHANGE THE 2006-07 CAPITAL NON-RECURRING FUND **FROM BOE REPLACEMENT VANS SPEC ED (2) FOR \$50,000 TO BOE REPLACEMENT VANS SPEC ED (4) FOR \$64,000** AS REQUESTED BY THE BOARD OF EDUCATION, PENDING BOARD OF FINANCE AND TOWN MEETING APPROVAL. FURTHER, TO ADD THIS ITEM TO THE SPECIAL TOWN MEETING SCHEDULED FOR SEPTEMBER 18, 2006 AT 7:15 P.M.

VOTE ON ABOVE MOTION: (AYE – CHARTER, FRAWLEY, MILLER, SCUDIERI)
(NAY – HARFORD)

MOTION PASSED.

- F. Hall Subdivision:
1. Accept Open Space:

MOVED (SCUDIERI), SECONDED (CHARTER) AND PASSED UNANIMOUSLY, BY THOSE PRESENT AND VOTING, TO ACCEPT OPEN SPACE FROM HALL SUBDIVISION TO THE TOWN OF ELLINGTON AS DEFINED IN THE WARRANTS REFERRED TO.

2. Accept Portion of Pinnacle Road:

MOVED (SCUDIERI), SECONDED (HARFORD) AND PASSED UNANIMOUSLY, BY THOSE PRESENT AND VOTING, TO ACCEPT A PORTION OF PINNACLE ROAD FROM HALL SUBDIVISION AS A TOWN ROAD, AS RECOMMENDED BY THE PLANNING AND ZONING COMMISSION AND AS DEFINED ON THE QUIT-CLAIM DEED **ATTACHED** TO THESE MINUTES, AND TO AUTHORIZE THE TOWN PLANNER TO RECORD THE TENDERED DEED PURSUANT TO THIS AUTHORIZATION AND THE SUBDIVISION REGULATIONS.

G. Gotta Go, LLC Subdivision:

1. Accept Portions of South Road, White Road and Lakeview Avenue

MOVED (SCUDIERI), SECONDED (HARFORD) AND PASSED UNANIMOUSLY, BY THOSE PRESENT AND VOTING, TO ACCEPT A PORTION OF SOUTH ROAD, WHITE ROAD AND LAKEVIEW AVENUE FROM GOTTA GO, LLC SUBDIVISION AS TOWN ROADS, AS RECOMMENDED BY THE PLANNING AND ZONING COMMISSION AND AS DEFINED ON THE WARRANTY DEED **ATTACHED** TO THESE MINUTES AND TO AUTHORIZE THE TOWN PLANNER TO RECORD THE TENDERED DEED PURSUANT TO THIS AUTHORIZATION AND THE SUBDIVISION REGULATIONS.

H. Center Village, LLC – Donation of 4.988 Acres of Land:

MOVED (SCUDIERI), SECONDED (CHARTER) AND PASSED UNANIMOUSLY, BY THOSE PRESENT AND VOTING, TO ACCEPT A DONATION OF 4.998 ACRES PARCEL OF LAND LOCATED ON MAPLE STREET, AS SPECIFIED IN THE WARRANTY DEED **ATTACHED** TO THESE MINUTES, FROM CENTER VILLAGE, LLC, UPON PLANNING AND ZONING COMMISSION APPROVAL OF ZONE CHANGE FROM ARCH-AGE RESTRICTED CLUSTER HOUSING ZONE TO PC-PLANNED COMMERCIAL ZONE.

I. Emergency Management Performance Grant Program:

Mr. Davis stated that the Town has been participating in the Emergency Management Performance Grant Program for the last 10 years. The State is now requiring a certified copy of a resolution from the municipality authorizing the CEO to execute documents on behalf of the Town.

MOVED (SCUDIERI), SECONDED (CHARTER) AND PASSED UNANIMOUSLY, BY THOSE PRESENT AND VOTING, TO ADOPT THE FOLLOWING RESOLUTION:

RESOLVED, THAT THE FIRST SELECTMAN, MICHAEL STUPINSKI, BE AND HEREBY IS AUTHORIZED TO ACT ON BEHALF OF THE TOWN OF ELLINGTON IN EXECUTING A MEMORANDUM OF UNDERSTANDING WITH THE STATE OF CONNECTICUT DEPARTMENT OF EMERGENCY MANAGEMENT AND HOMELAND SECURITY, FOR PARTICIPATION IN THE FY 2007 EMERGENCY MANAGEMENT PERFORMANCE GRANT PROGRAM.

J. Re-establish Ad Hoc Drug Abuse Prevention Council & Youth Services Advisory Board:

MOVED (SCUDIERI), SECONDED (MILLER) AND PASSED UNANIMOUSLY, BY THOSE PRESENT AND VOTING, TO ADOPT THE FOLLOWING RESOLUTION:

RESOLVED, THAT THE AD HOC DRUG ABUSE PREVENTION COUNCIL BE MERGED WITH THE AD HOC YOUTH SERVICES ADVISORY BOARD TO FORM ONE BOARD TO BE KNOWN AS THE AD HOC DRUG ABUSE PREVENTION/YOUTH SERVICES ADVISORY BOARD TO BE ESTABLISHED FOR ONE YEAR TO AUGUST 31, 2007, AS RECOMMENDED BY THE HUMAN SERVICES DIRECTOR.

K. Budget Execution: Tabled to September 18, 2006

N. Assistant Animal Control Officer – Increase Hours:

MOVED (SCUDIERI), SECONDED (CHARTER) TO INCREASE THE WEEKLY HOURS OF ASSISTANT ANIMAL CONTROL OFFICER, DAVID YOHO, TO 22 HOURS PER WEEK EFFECTIVE AUGUST 28, 2006, AS RECOMMENDED BY THE ANIMAL CONTROL OFFICER.

Mr. Charter asked if there was money in the budget for this. Mr. Stupinski stated that it would be over budget by \$934, as there were two part-time positions approved in the budget. In addition, the unlicensed dog survey was not done last year due to lack of staff. There would have been over \$1,400 savings to the Town if the survey was completed. Increasing the hours of Mr. Yoho would provide the manpower needed in this department and would eliminate the need for the second position. It is very difficult to fill these positions. Mr. Yoho is very reliable and is doing an excellent job. Mr. Stupinski recommended increasing Mr. Yoho's hours.

VOTE ON ABOVE MOTION: UNANIMOUSLY PASSED BY THOSE PRESENT AND VOTING.

O. Resignation: Magurany – Sr. Center Van Driver:

MOVED (SCUDIERI), SECONDED (CHARTER) AND PASSED UNANIMOUSLY, BY THOSE PRESENT AND VOTING, TO ACCEPT THE RESIGNATION OF JEANNE MAGURANY, SR. CENTER VAN DRIVER EFFECTIVE AUGUST 21, 2006.

P. Flexible Spending Account Plan:

Mr. DiCorleto addressed the board and explained the benefits of this plan.

MOVED (SCUDIERI), SECONDED (CHARTER) AND PASSED UNANIMOUSLY, BY THOSE PRESENT AND VOTING, TO AUTHORIZE THE FINANCE OFFICER TO OFFER FLEXIBLE SPENDING ACCOUNT PLAN TO ELIGIBLE EMPLOYEES AND TO ADMINISTER THE PLAN IF ADEQUATE INTEREST IS DETERMINED.

MOVED (SCUDIERI), SECONDED (MILLER) AND PASSED UNANIMOUSLY, BY THOSE PRESENT AND VOTING, TO ADD ITEM Q., *SUPERINTENDENT OF SCHOOLS - REQUEST TO WAIVE THE BIDDING FOR THE PURCHASE OF EHS TELEVISION LAB EQUIPMENT.*

Q. Superintendent Of Schools - Request To Waive The Bidding For The Purchase of EHS Television Lab Equipment:

MOVED (SCUDIERI), SECONDED (CHARTER) AND PASSED (CHARTER, FRAWLEY MILLER AND SCUDIERI VOTED – AYE) TO WAIVE THE NORMAL BIDDING PROCEDURES, AS REQUESTED BY THE SUPERINTENDENT OF SCHOOLS, AND AUTHORIZE THE BOARD OF EDUCATION TO NEGOTIATE AN AGREEMENT WITH A REPUTABLE VENDOR FOR THE PURCHASE OF THE ELLINGTON HIGH SCHOOL LAB EQUIPMENT. (HARFORD – ABSTAINED).

VII. ADMINISTRATIVE REPORTS: So noted.

VIII. SELECTMEN COMMITTEE REPORTS:

A. Personnel Committee:

Due to lack of quorum, the Personnel Committee could not conduct their meeting. The BOS took action on the following resignations and appointments.

Resignations:

MOVED (SCUDIERI), SECONDED (FRAWLEY) AND PASSED UNANIMOUSLY, BY THOSE PRESENT AND VOTING, TO ACCEPT THE RESIGNATION OF KIM FLANNERY FROM THE INLAND/WETLANDS AGENCY.

MOVED (SCUDIERI), SECONDED (CHARTER) AND PASSED UNANIMOUSLY, BY THOSE PRESENT AND VOTING, TO ACCEPT THE RESIGNATION OF STACIE MIKOL FROM THE WATER POLLUTION CONTROL AUTHORITY.

Appointments:

MOVED (SCUDIERI), SECONDED (MILLER) AND PASSED UNANIMOUSLY, BY THOSE PRESENT AND VOTING, TO APPOINT MARY BARTLEY, YALE CANTOR, DORIS CRAYTON, CHANTAL HARACSY, LISA KELLY, DIANE LASHER-PENTI, TROOPER SCOTT LEONARD, NANCY NETHERWOOD, ERIN McGURK, TOMASA RAVEN, NEIL RINALDI, SUSAN STACK AND REV. JEFFREY STALLEY TO THE AD HOC DRUG ABUSE PREVENTION/YOUTH SERVICES ADVISORY BOARD FOR ONE-YEAR TERMS TO AUGUST 31, 2007.

MOVED (SCUDIERI), SECONDED (CHARTER) AND PASSED UNANIMOUSLY, BY THOSE PRESENT AND VOTING, TO REAPPOINT LAURIE FIORE AS A REGULAR MEMBER TO THE ECONOMIC DEVELOPMENT COMMISSION TO JULY 31, 2010, CHANGING HER STATUS FROM ALTERNATE MEMBER.

MOVED (SCUDIERI), SECONDED (HARFORD) AND PASSED UNANIMOUSLY, BY THOSE PRESENT AND VOTING, TO APPOINT GEORGE SHAW TO THE CONNECTICUT WATER COMPANY CUSTOMER ADVISORY COUNCIL FOR A ONE YEAR TERM TO AUGUST 31, 2007.

MOVED (SCUDIERI), SECONDED (CHARTER) AND PASSED UNANIMOUSLY, BY THOSE PRESENT AND VOTING, TO APPOINT DUANE ZAHNER TO THE INLAND/WETLANDS AGENCY TO FILL AN UNEXPIRED TERM TO JANUARY 31, 2007.

MOVED (SCUDIERI), SECONDED (HARFORD) AND PASSED UNANIMOUSLY, BY THOSE PRESENT AND VOTING, TO REAPPOINT ROBERT WAMBOLT AND RONALD STROMBERG AS ALTERNATE MEMBERS TO THE ZONING BOARD OF APPEALS FOR TWO-YEAR TERMS TO AUGUST 31, 2008.

IX. SELECTMEN LIAISON REPORTS: None

X. FIRST SELECTMAN'S REPORT: None

XI. CORRESPONDENCE: None

EXECUTIVE SESSION:

MOVED (SCUDIERI), SECONDED (MILLER) AND PASSED UNANIMOUSLY, BY THOSE PRESENT AND VOTING, TO GO INTO EXECUTIVE SESSION FOR THE PURPOSE OF DISCUSSING REAL ESTATE AGREEMENT AT 9:27 P.M.

MOVED (FRAWLEY), SECONDED (CHARTER) AND PASSED UNANIMOUSLY, BY THOSE PRESENT AND VOTING, TO COME OUT OF EXECUTIVE SESSION AT 9:49 P.M.

XII. ADJOURNMENT:

MOVED (HARFORD), SECONDED (FRAWLEY) AND PASSED UNANIMOUSLY, BY THOSE PRESENT AND VOTING TO ADJOURN THE MEETING OF THE BOARD OF SELECTMEN AT 9:52 P.M.

Submitted by

Carol York

Approved by

Min D. Sten

					TAX
	TAX COLLECTOR'S REFUNDS/ABATEMENTS				
	AUGUST, 2006				
DOLLAR AMOUNT	PERSON/CORPORATION	MV/PERS.PROP REAL ESTATE	YEAR	TAX/ASSESSOR REQUESTING DEPT.	REASON FOR
	REFUNDS				
\$6.61	BECKFORD, LEANNE M	MOTOR VEHICLE	05	ASSESSOR	VEHICLE SCRAPPED
\$28.04	GJONBALAJ, MAL	MOTOR VEHICLE	05	ASSESSOR	VEHICLE SOLD
\$189.67	HONDA LEASE TRUST	MOTOR VEHICLE	04	ASSESSOR	VEHICLE SOLD
\$5.94	REILLY, BARBARA P	MOTOR VEHICLE	04	TAX OFFICE	OVERPAYMENT
\$116.37	SNYDER, WILLIAM T	MOTOR VEHICLE	05	ASSESSOR	VEHICLE SCRAPPED
\$384.82	TOYOTA MOTOR CREDIT	MOTOR VEHICLE	04	ASSESSOR	VEHICLE SOLD
\$100.00	WILSHIRE CREDIT CORP (for KOEHLER, R&T)	REAL ESTATE	05	TAX OFFICE	OVERPAYMENT
\$831.45	AUGUST REFUND TOTAL				
	ABATEMENTS				
\$0.00	AUGUST ABATEMENT TOTAL				
\$831.45	AUGUST, 2006 REFUND AND ABATEMENT TOTAL				
refaug06					

VI-A

WARRANTY DEED


KNOW ALL MEN BY THESE PRESENTS, that JANET B. HALL of the Town of Ellington, County of Tolland and State of Connecticut, for consideration paid being less than Two Thousand (\$2,000.00) Dollars, does hereby grant, bargain sell and convey to the **TOWN OF ELLINGTON**, a municipality having its territorial limits within the County of Tolland and State of Connecticut, its successors and assigns forever, with WARRANTY COVENANTS, a certain piece or ~~parcel~~ ^{open space} of land consisting of approximately 3.30 acres, more or less, to be deeded to the TOWN OF ELLINGTON as defined on a certain map entitled SUBDIVISION PLAN PREPARED BY ROB HELLSTROM LAND SURVEYING 32 MAIN STREET HEBRON, CT. P.O. BOX 497 COLUMBIA, CT 06237-0497 (860) 228-9853 DATE AUGUST 13, 2005 REVISED 10/26/05 12/27/05 1/16/06 1/24/06 PREPARED FOR JANET HALL BOUNDARY LOTS 1,2 & 3 110 PINNACLE ROAD ELLINGTON, CONNECTICUT SHEET 1 OF 3 JOB # 2004-096 SCALE 1" = 80' FILE # HAO4096B.

IN WITNESS WHEREOF, JANET B. HALL has caused her hand and seal to be subscribed this 21st day of July, A.D., 2006.

Signed, Sealed and Delivered
In Presence Of:


Cathryn-Jean Fleming

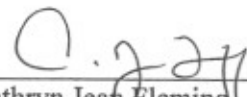
By 
Janet B. Hall


Steven Gregson

STATE OF CONNECTICUT }
COUNTY OF TOLLAND } ss. Tolland

On this the 21st day of July, 2006, before me, the undersigned officer, personally appeared JANET B. HALL, Signer and Sealer of the foregoing Instrument, who acknowledged that the signing of this document to be her free act and deed, before me.

In Witness Whereof, I hereunto set my hand and official seal.


Cathryn Jean Fleming
Commissioner of the Superior
Court

QUIT CLAIM DEED

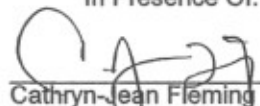
KNOW ALL MEN BY THESE PRESENTS, that **JANET B. HALL** of the Town of Ellington, County of Tolland and State of Connecticut, in consideration being the approval of the subdivision plan, does hereby grant, bargain sell and convey to the **TOWN OF ELLINGTON**, a municipality having its territorial limits within the County of Tolland and State of Connecticut, its successors and assigns forever, with QUIT CLAIM COVENANTS:


That portion of property known as Pinnacle Road which lies northerly and easterly of a line beginning at a point which marks the southwesterly boundary of land currently owned by Janet Hall and continuing along the northerly side of Pinnacle Road in an easterly and northeasterly direction to the northeasterly corner of land currently owned by Janet Hall all as shown on a certain map entitled SUBDIVISION PLAN PREPARED BY ROB HELLSTROM LAND SURVEYING 32 MAIN STREET HEBRON, CT. P.O. BOX 497 COLUMBIA, CT 06237-0497 (860) 228-9853 DATE AUGUST 13, 2005 REVISED 10/26/05 12/27/05 1/16/06 1/24/06 PREPARED FOR JANET HALL BOUNDARY LOTS 1,2 & 3 110 PINNACLE ROAD ELLINGTON, CONNECTICUT SHEET 1 OF 3 JOB # 2004-096 SCALE 1" = 80' FILE # HAO4096B which map is on file in the Town Clerk's office of the Town of Ellington. Said line is everywhere 25 feet distant from the centerline of Pinnacle Road.

The purpose of this Quit Claim is to formalize with the Town of Ellington an ownership interest to the centerline of Pinnacle Road.

IN WITNESS WHEREOF, **JANET B. HALL** has caused her hand and seal to be subscribed this 21st day of July, A.D., 2006.

Signed, Sealed and Delivered
In Presence Of:


Cathryn Jean Fleming

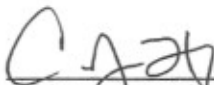

Steven Gregson

By 
Janet B. Hall

STATE OF CONNECTICUT)
COUNTY OF TOLLAND) ss. Tolland

On this the 21st day of July, 2006, before me, the undersigned officer, personally appeared JANET B. HALL, Signer and Sealer of the foregoing Instrument, who acknowledged that the signing of this document to be her free act and deed, before me.

In Witness Whereof, I hereunto set my hand and official seal.



Cathryn-Jean Fleming
Commissioner of the Superior
Court

WARRANTY DEED

TO ALL PEOPLE TO WHOM THESE PRESENTS SHALL COME, GREETING:
KNOW YE, THAT GOTTA GO, LLC, a Connecticut Limited Liability Company with
 its principal office in the Town of Ellington, County of Tolland and State of Connecticut

for good consideration the receipt and sufficiency of which is hereby acknowledged, grant to the **TOWN OF ELLINGTON**, a municipal corporation having its territorial limits within the County of Tolland and State of Connecticut,

with **WARRANTY COVENANTS**

See Exhibit A attached hereto.

WITNESS WHEREOF, our hands and seals,

Signed this 28th day of April, 2006.

Signed and delivered in the presence of:

Gotta Go LLC

By: John Ridzon, Member


MARK J MANISCALCO

Nancy R. Alholm
Nancy R. Alholm

STATE OF CONNECTICUT }
COUNTY OF TOLLAND } ss. Somers

April 28, 2006

On this the 28th day of April, 2006, before me, Nancy R. Alholm, the undersigned officer, personally appeared John Ridzon who acknowledged himself to a Member of Gotta Go, LLC, a Connecticut member managed limited liability company, and that he, as such Member, being authorized to do so, executed the foregoing instrument for the purposes therein contained, by signing the name of the limited liability company by himself as a Member, as his free act and deed, and as the free act and deed of the limited liability company.

In witness whereof I hereunto set my hand,

Nancy L. Alholm

Nancy R. Alholm

Notary Public

My Commission Expires: 7/31/2009

Grantee's Mailing Address:
Town of Ellington
55 Main Street
P.O. 187

Parcel 1

That certain piece or parcel of land being shown as "Land To Be Conveyed To The Town Of Ellington 47 Sq. Ft. 0.001 Acres" as shown on a certain map or plan entitled "A.P.N. 112-036-0000 SUBDIVISION PLAN Boundary & Topographical Plans Prepared for Gotta Go, LLC South Rd., White Rd & Lakeview Rd. Ellington, Connecticut Tarbell, Heintz & Assoc., Inc. Civil Engineers – Land Surveyors 1227 Burnside Ave. Suite 31, East Hartford, CT (860) 528-1810 Job No. 1188 Date: 7-12-05 Scale: As Shown Drawn by R.H.H. Sheet No: 1 of 1 Revision 8-12-05 Engineering and N.C.D.H.D. Comments 9-15-05 9-19-05 Engineering Comments 10-10-05 – Fee Note", which map or plan is on file in the Office of the Ellington Town Clerk.

Parcel 2

That certain piece or parcel of land being shown as "Land To Be Conveyed To The Town Of Ellington 112 Sq. Ft. 0.003 Acres" as shown on a certain map or plan entitled "A.P.N. 112-036-0000 SUBDIVISION PLAN Boundary & Topographical Plans Prepared for Gotta Go, LLC South Rd., White Rd & Lakeview Rd. Ellington, Connecticut Tarbell, Heintz & Assoc., Inc. Civil Engineers – Land Surveyors 1227 Burnside Ave. Suite 31, East Hartford, CT (860) 528-1810 Job No. 1188 Date: 7-12-05 Scale: As Shown Drawn by R.H.H. Sheet No: 1 of 1 Revision 8-12-05 Engineering and N.C.D.H.D. Comments 9-15-05 9-19-05 Engineering Comments 10-10-05 – Fee Note", which map or plan is on file in the Office of the Ellington Town Clerk.

Parcel 3

That certain piece or parcel of land being shown as "Land To Be Conveyed To The Town Of Ellington 2,226 Sq. Ft. 0.051 Acres" as shown on a certain map or plan entitled "A.P.N. 112-036-0000 SUBDIVISION PLAN Boundary & Topographical Plans Prepared for Gotta Go, LLC South Rd., White Rd & Lakeview Rd. Ellington, Connecticut Tarbell, Heintz & Assoc., Inc. Civil Engineers – Land Surveyors 1227 Burnside Ave. Suite 31, East Hartford, CT (860) 528-1810 Job No. 1188 Date: 7-12-05 Scale: As Shown Drawn by R.H.H. Sheet No: 1 of 1 Revision 8-12-05 Engineering and N.C.D.H.D. Comments 9-15-05 9-19-05 Engineering Comments 10-10-05 – Fee Note", which map or plan is on file in the Office of the Ellington Town Clerk.

TOWN OF ELLINGTON
RECEIVED

JUL 25 2006

PLANNING DEPT.

WARRANTY DEED - STATUTORY FORM

KNOW MEN BY ALL THESE PRESENTS, that **CENTER VILLAGE, LLC**, a duly formed limited liability company under the laws of the State of Connecticut, located within the Town of Ellington, County of Tolland and State of Connecticut ("Grantor"), in consideration of One Dollar (\$1.00) and other good and valuable consideration, does hereby give, grant, bargain, sell and confirm unto the **TOWN OF ELLINGTON**, a municipality having its territorial limits within the County of Tolland and State of Connecticut ("Grantee"), and its successors and assigns forever, with **WARRANTY COVENANTS**, a certain piece or parcel of land shown and designated as "**4.998 ACRES TO BE GIVEN TO THE TOWN**" as shown on a certain map entitled "PIONEER BUILDERS OF ELLINGTON, INC. GRADING PLAN CENTER VILLAGE 22 MAPLE STREET ELLINGTON, CONNECTICUT FUSS & O'NEILL INC. Consulting Engineers 146 HARTFORD ROAD, MANCHESTER, CONNECTICUT 06040 860.646.2469 www.FandO.com PROJ. No.: 2004-0977S10 DATE: 03/17/05 GI.1.1 REVISIONS 1. 04/15/05 RESPONSE TO TOWN COMMENTS 2. 05/07/05 REVISED PER TOWN ENGINEERS DRC 3. 05/19/05 REVISED PER TOWN COMMENTS 4. 11/28/05 GENERAL- SEE 40 SCALE SHEETS GBM 5. 07/06/06 METES AND BOUNDS SBN 6. 07-19-06 DRAINAGE EASEMENTS SAL PROJ. MANAGER: AJC CHIEF DESIGNER: DRC", which map or plan is on file or to be filed in the Town Clerk's Office of the Town of Ellington.

Said premises are more particularly bounded and described as follows:

A certain piece or parcel of land situate in the Town of Ellington, State of Connecticut, beginning at an iron pipe on the southerly right-of-way line of Maple Street, said point being the northwest corner of the herein described parcel and the northeast corner of land now or formerly Barry L. & Sarah E. Heintz;

thence N 61°45'22" E along the southerly right-of-way line of Maple Street, 416.47' to a point;

thence N 61°49'31" E along the southerly right-of-way line of Maple Street, 74.99' to a point;

thence S 28°09'51" E along the westerly property line of land now or formerly Center Village, LLC, 512.23' to a point on the northerly property line of land now or formerly Wesley A. & Stephanie R. Schlude;

thence S 82°32'14" W along the northerly property line of land now or formerly Wesley A. & Stephanie R. Schlude, 602.47' to an iron pipe at the southeast corner of

TO HAVE AND TO HOLD the above granted rights, privileges and authority unto the said Grantee, its successors and assigns, and to its and their own proper use and behoof.

IN WITNESS WHEREOF, the said Grantor has hereunto caused these presents to be executed this 24th day of July, 2006.

Witnessed by:

CENTER VILLAGE, LLC

William E Breslau
William E Breslau

By: THOMAS SAVAGE
Its Member

Jennifer Thompson
Jennifer Thompson

STATE OF CONNECTICUT

)

SS.


COUNTY OF TOLLAND

(

On this the 24th day of July 2006, before me, the undersigned officer, personally appeared THOMAS SAVAGE, member of Center Village, LLC, Signer and Sealer of the foregoing Instrument, who acknowledged the signing of this document to be his/her free act and deed on behalf of said corporation, before me.

In Witness Whereof, I hereunto set my hand and official seal.

set my hand and official seal.


William E. Breslow
Commissioner of the Superior Court

Latest Address of Grantee:

Town of Ellington

P.O. Box 187

55 Main Street

Ellington, CT 06029